

Congress of the United States
Washington, DC 20510

March 16, 2010

The Honorable Thomas Vilsack
Secretary of Agriculture
United States Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC

Dear Secretary Vilsack:

In light of the historic earthquake that has struck Chile, and the pressing need to preserve and create jobs in the United States, we write to request that you exercise your authority to suspend Table Grape Import Regulation No. 4 for up to twenty days from April 10, 2010 to April 30, 2010. Under this current regulation, the importation of Chilean table grapes will be greatly restricted after April 10th, 2010.

As you know, on February 27th, 2010, Chile suffered an earthquake measuring 8.8 on the Richter scale. The area of Chile that is at the peak of the fruit harvest, home to approximately 145,000 small growers and harvesters, has been severely affected. These growers and harvesters depend on the export market for their livelihood. Despite the destruction, the opportunity exists for the continued harvest and shipment of certain commodities that were not destroyed, including table grapes, albeit with a ten to twenty day delay.

Consumer prices for table grapes are moving to levels far above those of a normal year. Wholesale spot prices on 18lb boxes are currently at \$32, more than double the price a year ago. Furthermore, we are advised that the Californian and Mexican table grape harvests are expected to be 6 to 12 days later than normal this year. The disruption in shipments combined with a late California harvest will likely lead to still higher prices.

The three ports in the Delaware River Basin, Gloucester in New Jersey, Philadelphia in Pennsylvania and Wilmington in Delaware, receive about 65 percent of Chilean fruit shipments to the United States. The current interruption of Chilean imports could cost the Delaware River Basin Region more than \$15,000,000 in lost economic activity.

The Agricultural Marketing Agreement Act grants the Secretary of Agriculture the authority to suspend marketing orders. The purpose of the act is "to establish and maintain such orderly marketing conditions for any agricultural commodity...as will provide, in the interests of producers and consumers, an orderly flow of supply....to avoid unreasonable fluctuations in supplies and prices." President Obama and Secretary of State Clinton have appropriately offered any and all assistance to the people of Chile. For purposes of providing humanitarian relief, preserving American jobs, and protecting consumers from historic price volatility, we ask that you exercise your authority under the Agricultural Marketing Agreement Act, to "suspend operation" of Import Regulation 4.

Shipping times from Chile to the United States vary from 10 to 14 days. Therefore, shipping firms must make logistical decisions in the coming days regarding shipments of Chilean fruit to the United States for mid-April delivery. Due to the perishable nature of fruit, and the advanced notice needed to secure transportation and delivery, we ask for your timely consideration of this request.

Sincerely,

Arlin Jech

Bob Carey, Jr.

Tom Carpen

Tim Kampen

Bob A Brady

Cc: The Honorable Ann Wright
Deputy Undersecretary for Marketing
And Regulatory Programs
United States Department of Agriculture
Washington, D.C.